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THE CITY OF NEW YORK
LAW DEPARTMENT

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MARTIN BOWE
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December 2, 2021

VIA ECF

Hon. Lewis J. Liman
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *H.W. v. N.Y.C. Dep't of Educ.*, 21-cv-8604 (LJL)(SN)

Dear Judge Liman:

I am an Assistant Corporation Counsel in the office of Corporation Counsel, Georgia M. Pestana, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, *et seq.*, as well as for this action.

I write to request a 60-day extension of Defendant's time to respond to the Complaint in this action, *nunc pro tunc*, from November 11, 2021 to January 11, 2022, in hopes that, within that time, the matter might be resolved without the need for further litigation. I have requested Plaintiffs' consent earlier today but have not yet received a response. This is the first request for an extension of this deadline. Defendant also respectfully requests a corollary adjournment, *sine die*, of the conference scheduled for January 4, 2022, with a next joint status letter due by January 31, 2022 informing the Court that the case has been fully resolved, or proposing a briefing schedule.

My apologies to the Court and to Plaintiffs for Defendant's late submission, which we discovered today. This error was due to inadvertent, administrative oversight. Defendants believe that the parties may be able to fully resolve this case without the need for any Court intervention.

Accordingly, Defendant respectfully requests a 60-day extension of time to respond to the complaint to January 11, 2022. Thank you for considering this request.

Respectfully submitted,


/s/

Martin Bowe, Esq.

Assistant Corporation Counsel

cc: Kevin Mendillo, Esq. (via ECF)
Cuddy Law Firm

Approved. The conference scheduled for January 4, 2022 is adjourned *sine die*. The parties are directed to file a joint status letter by January 31, 2022.
SO ORDERED.


LEWIS J. LIMAN
United States District Judge

Date: December 8, 2021
New York, NY